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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,544

09/24/2004

Wen-Kuo Chu

13529-US-PA

5543

31561 7590 12/15/2006

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE

7 FLOOR-1, NO. 100

ROOSEVELT ROAD, SECTION 2

TAIPEI, 100

TAIWAN

EXAMINER

WON, BUMSUK

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,544

Applicant(s)

CHU ET AL.

Examiner

Bumsuk Won

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on 9/21/2006 has been entered.

Priority

The Examiner has withdrawn the objection to not filing a certified copy of the Taiwan application 93123441 since the Applicant has not claimed the foreign priority.

Specification

The Applicant has amended the title which is clearly indicative of the invention to which the claimed are directed. Therefore, the new title overcomes the objection to the title in the previous office action.

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

In the remarks, on pages 6-7, the Applicant states that Urabe (2004/0090175) discloses in paragraph 53, the electrical potential of the cathodes are kept to be a common value all of the pixels. The Examiner respectfully agree. However, even though in the following rejection the Examiner has rejected the different operating voltage for three different cathode patterns based on functional claim limitation, the Examiner points out that the disclosure of Urabe regarding the electrical potential of the cathodes being common value for all of the pixels are not during the operation, and rather during the manufacturing process. Therefore, even if the functional claim limitation is given weight to the device claim of independent claim 1, the paragraph 53 of Urabe can not be used against the rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed ... in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 5, 7 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Urabe (2004/0090175).

Regarding claim 1, Urabe discloses an active matrix OLED panel (figs 1-5) comprising: a pixel structure layer (bottom part of the panel) disposed on a substrate (1) wherein the pixel structure layer comprises an active device matrix (fig 5) and an anode pattern layer (A); an organic light emitting layer (10) disposed over the anode pattern layer wherein the organic layer comprises first, second, and third organic layers (RGB); and a cathode layer (12) disposed on the organic layer wherein the cathode layer comprises cathode patterns, first cathode pattern disposed on the first organic light emitting pattern, second cathode pattern disposed on the second organic light emitting pattern, third cathode pattern disposed on the third organic light emitting pattern (fig 4C), and the first, second, and the third cathode patterns are not connected each other (figs 3 and 4C).

The examiner notes that the claim limitation of the first, the second and the third cathode pattern being electrically connected to different operation voltage is drawn to a functional claim limitation which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a functional claim limitation.

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Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject functional claim limitation is not afforded patentable weight (MPEP 2114).

Regarding claim 4, Urabe discloses a partition rib structure (6) disposed over the active device matrix and the anode pattern layer (fig 4C, active device matrix is below anode A), and the first, the second, and the third organic pattern are isolated from each other (figs 3, 4C).

Regarding claim 5, Urabe discloses the partition rib structure (6) isolates the first, the second, and the third cathode pattern (figs 3, 4C).

Regarding claim 7, Urabe discloses the first, the second, and the third organic pattern are RGB (fig 3).

Regarding claim 8, Urabe discloses the active device matrix comprises TFT array (figs 5 and 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Urabe (2004/0090175) in view of Kobayashi (2005/0099118).

Regarding claim 3, Urabe discloses all the claim limitations except for having a plurality of cathode lines electrically connected the first, the second, and the third cathode pattern respectively.

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Kobayashi discloses an AMOELD (fig 5) having a first cathode (7 on the first row), a second cathode (7 on the second row), and a third cathode (7 on the third row, not diagramed), and a plurality of cathode lines (second 131 from the top, third 131, and fourth 131) connected to the first, second, and third cathodes respectively, for the purpose of controlling each type of pixels separately.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a plurality of cathode lines electrically connected the first, the second, and the third cathode pattern respectively disclosed by Kobayashi in the AMOELD disclosed by Urabe, for the purpose of controlling each type of pixels separately.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Urabe (2004/0090175) in view of Fery (2004/0075115).

Urabe discloses all the claimed limitations except for the partition rib structure has width of the top surface being greater than width of the bottom surface.

Fery discloses an OELD (fig 2) having a partition rib structure (105) that isolates cathodes (103) as well as organic layers (102), and has width of the top surface being greater than width of the bottom surface (fig 2), for the purpose of effectively separating the cathodes and organic layers.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a partition rib structure has width of the top surface being greater than width of the bottom surface disclosed by Fery in the OELD panel disclosed by Urabe, for the purpose of effectively separating the cathodes and organic layers.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bumsuk Won whose telephone number is 571-272-2713. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Bumsuk Won
Patent Examiner



JOSEPH WILLIAMS
PRIMARY EXAMINER